

MEMO ENDORSED

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BY EMAIL

The Honorable Richard J. Sullivan
United States District Court
for the Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square, Room 2104
New York, New York 10007

IT IS HEREBY ORDERED THAT the pre-trial conference is adjourned to 8:30 a.m. on November 6, 2014. IT IS FURTHER ORDERED THAT Mr. Boies is excused from attending the pre-trial conference.

SO ORDERED
Date: 10/23/2014 RICHARD J. SULLIVAN
U.S.D.J.

Re: *Johnson & Johnson v. Guidant Corporation*, 06 CV 7685 (RJS)

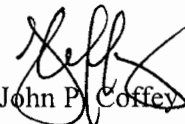
Dear Judge Sullivan:

We are counsel to plaintiff Johnson & Johnson in the above-captioned action. Earlier this week, we had informed the Court that, due to a teaching obligation, I am unable to attend the pre-trial conference currently scheduled for October 31, 2014 and that we were exploring with Guidant's counsel alternative dates to propose to the Court. I write, on behalf of both parties, to respectfully request that the pre-trial conference be rescheduled to the morning of November 6, 2014.

Additionally, because Mr. Boies will still be on trial in *Starr International Co. Inc. et al. v. U.S.*, 1:11-cv-00779, in the U.S. Court of Federal Claims, counsel for Guidant respectfully request that Mr. Boies be excused from appearing at the pre-trial conference whether it occurs on October 31, 2014 or November 6, 2014. J&J has no objection to this request.

Thank you for your consideration of these matters.

Respectfully yours,


John P. Coffey

cc: William S. Ohlemeyer, Esq. (by email)
John Gueli, Esq. (by email)

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